

## Feedback Nru (1)

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Display name: CONS01

### OPINION

Opinion to encourage and invest in active transport (cycling, walking and public transport) in order to reduce car dependency.

## Feedback Nru (2)

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Display name: CONS02

### OPINION

1. Proposal for the Climate Action Board to be backed by an inter-ministerial committee, Chaired by the Minister responsible for climate change policy.
2. Raises doubt as to how much, in reality, low-carbon development strategies can be driven by the Minister responsible for climate change policy.
3. Raises question as to whether, given their overlap, the strategies for sustainable development, adaptation and mitigation, can be merged into a single strategy.
4. Comments that the 4-year period of review for the strategies, especially in relation to adaptation, is rather short.
5. Proposes that a reference is made to the requirement for such strategies emanating from future international agreements.
6. Questions the emphasis on regulations, fees, fines and prison terms. Proposes more clarity on rules of application of such penalties and types of offences that might trigger such penalties.
7. Proposes that in the statement of object at the end, the term "Climate Action" could be defined as it is elsewhere in the text, by reference to "action to mitigate climate change and adapt to its adverse effects".
8. Proposes that in stating the duties assigned by the Act in paras 4 and 5, it would be prudent to replace the all-embracing "to protect the climate" by "to contribute to the protection of the climate".
9. Comments that 'Assigning this duty to "every person"' sounds very bold. Asks whether there are precedents in other areas.
10. Comments that Paras 5.2 and 6.2 are lists of what the Government should do in fulfilling its duties. Suggests that since the distinction between those two paras is not evident, they could they be combined.
11. Suggests that since the list in para. 5.2 echoes several provisions of article 4.1 of the UNFCCC, a reference to this article could be made.

## Feedback Nru (3)

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Display name: CONS03

### OPINION

1. Welcome draft Bill
2. Appeal for this Bill to be one of the strongest in the EU, while commenting that the present one does not fit the mark.
3. Want to see clear targets and ambitions towards a low-carbon Malta.
4. Comment that commitments are empowered by 'mays' rather than 'shalls'.
5. Concerned that very little emphasis on alternative/renewable energy.
6. Concerned about lack of timelines.
7. Concerned about effectiveness of artificial sinks and reservoirs. Mention Carbon Capture and Storage as an example.
8. Recommend that in 9(2) text is changed from 'may' to 'shall'.
9. Comment that rather than being a political entity, the Climate Action Board, similar to model in other countries, should be a scientific advisory board.
10. Recommend that the Climate Action Board should also include 2 independent members, from e-NGOs or civil society.
11. Recommend that any experts appointed to the Climate Action Board should have equal status period of service as ordinary members.
12. Recommend that in relation to 12(3)(f), data should be made available to external experts. Government should be obliged to publish plans in drafting stage and allow for integrating responses in the most transparent way.
13. Question why financial support in respect of climate actions is not being extended to national organisations/actors but intention is to channel funds to developing countries through climate action fund.

#### **Feedback Nru (4)**

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Display name: CONS04

#### **OPINION**

1. Advocates for the use of alternative sources of energy and states that climate must come before appearance and aesthetics.
2. Condemns the consumption of animals for food, also for its impact on the environment and climate change.

#### **Feedback Nru (5)**

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Display name: CONS05

#### **OPINION**

1. Acknowledge the importance of the legislation.
2. Express concern for negative effect by way of additional compliance burdens on the agricultural sector.
3. Emphasise on the need for interventions and measures to be compensated through the rural development programme.

## Feedback Nru (6)

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Display name: CONS06

### OPINION

1. Emphasise on the need for an effective law enforcement system in respect of implementation of the law.
2. Comment that it is not clear whether the National Adaptation Strategy shall allow input from independent entities such as NGOs.
3. Comment that the CAB as is may not be independent and impartial. Suggest to have CAB made up of equal number of Gov-appointed and independent members. Chair should also be independent.
4. Suggest to change 'in cognisance of data related to the local economy' to 'whilst taking cognisance of data'.

## Feedback Nru (7)

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Display name: CONS07

### OPINION

General position:

1. In favour of the legislation.
2. Comment that the act while being a good starting point for action, shies away from factual action in practice.
3. Comment that act mostly restates existing requirements and obligations.
4. Comment that the act gives more importance to EU and international requirements than national action.
5. Welcome the inclusion of a regulated climate fund but comment that its scope needs to be modified.

Specific position:

1. Comment that text does not provide sufficient perspective of why act is essential in national context. Expect more ambitious attitude towards sustainable development issues.
2. Comment on lack of clarity on role of the individual. While persons have a duty to act against climate change, civil society is not rendered active participant in the structures.
3. Comment that more emphasis should be placed on corporate social responsibility highlighting the role of industry.
4. Suggest the establishment of a Target setting mechanism that is independent of the processes at EU or international level.
5. Comment that Government should be an example of on the ground climate action. Thus the act should include provisions for the Government to regulate its own action, through for example, carbon budgets for the public service, renewable energy targets, low carbon procurement, etc.
6. Comment that act lacks identification of synergistic areas of climate action, citing how this can be applied in sustainable development, green economy, reducing poverty and creating jobs.
7. Comment that R & D is excluded from act.
8. Suggest that the scientific community and civil society should form part of the CAB.
9. Suggest that the CAB should be vested with the role of managing and publishing results of potentials.
10. Welcome the set up of the Climate Fund as a tool for action, but want to see fund used to finance action beyond existing commitments. This would foster right environment for NGOs, SMEs and industry to tap into funds, etc.

## Feedback Nru (8)

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Display name: CONS08

### OPINION

1. Welcome duties and obligations but would like to engage in discussion on parameters for design and evaluation of policies, programmes and projects.
2. Would like to have more information on how Government is to promote and co-operate the conservation and enhancement of sinks and reservoirs.
3. Comment on the wording of the title in Maltese and suggest change from '*Att biex jistabilixxi qafas ghal azzjoni dwar tibdil fil-klima f'Malta*' to '*Att biex jistabilixxi qafas ghal azzjoni f'Malta dwar tibdil fil-klima.*'
4. Also propose changing title in English to 'An Act to establish a framework for climate change action in Malta'.
5. Comment on the definition of sink should be in line with UNFCCC.
6. Comment that a national LCDS would also need to take into consideration the broader policy context namely horizontal issues in other UN treaties.
7. Comment that such LCDS would need to maintain same level of environmental mainstreaming as the national adaptation strategy.
8. Put forward a number of biodiversity issues that would need to be integrated in the Act/LCDS.
9. Suggest adding legal safeguards to the article on taking precautionary measures in view of liability (Art. 6(2)(m)).
10. Comment that the fines contemplated in the Act are much higher than those in the current EDPA and call for synergy.
11. Suggest that revenue from fines would go to the designated authority for its operations (Art. 12(3)(h)).
12. Call for clarity between Art. 15(1) and Art. 12(3)(h).
13. Comment on possibility that designated authority would be able to impose daily fines in an administrative capacity as a deterrent.
14. Maintain the importance of having a representative of the environment authority on the CAB.

## Feedback Nru (9)

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Display name: CONS09

### OPINION

1. Commented that in relation to Article 5 (2), d, which specifically refers to "all relevant sectors, including the energy, transport, industry, agriculture, land-use and forestry, and waste management" the "relevant sectors" should be replaced with the 8 'smart specialisation' areas now enshrined in Malta's **National Strategy for Research and Innovation 2020** and now part of the National Reform Programme under the Europe 2020 Strategy and to specifically include Tourism Development.
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